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ABSTRACT

This document contains the results of a nationwide survey of state regulatory agencies which was conducted for the purpose of updating family day care licensing information gathered in 1986. For each state, information is presented on the topics of regulations and requirements, training and orientation, provider qualifications, discipline, zoning, and pending legislation. This report has been expanded to include: (1) an examination of regulatory requirements for large family day care homes, or group homes, that is, homes of 7 to 12 children; and (2) information on pending state legislation regarding regulations, liability insurance, and zoning for family day care homes. (PCB)

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1987 Family Day Care Licensing Study

Family Day Care Advocacy Project

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THE CHILDREN'S FOUNDATION
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1987 Family Day Care Licensing Study

Introduction

The 1987 Family Day Care Licensing Study contains the results of a nationwide survey of state regulatory agencies to update family day care licensing information gathered in 1986. This year's study includes an in-depth examination of regulatory requirements for large family day care homes (LFDCH). A decision was made to include this additional information because of the growing number of these large facilities and their potential for increasing the supply of child care.

The 1987 study has also been expanded to include information on pending legislation in each state regarding regulations, liability insurance, and zoning for family day care homes.

This data has been organized into 6 categories: regulations and requirements, training and orientation, provider qualifications, discipline, zoning, and pending legislation. Under the category of regulations and requirements we have included the specific regulations that exist for large family day care homes. LFDCH still must adhere to all regulations that apply to FDCH unless otherwise noted.

The overriding conclusion to be drawn from this study is that there is no uniform way in which states regulate family day care and that for each category such as training, there are a number of variables and exceptions to be found even when states define the categories in very similar ways. This should not come as a surprise to anyone but it does underscore the difficulty of getting a "status quo" on family day care in this country.

It is the intention of The Children's Foundation that the information in this study be useful to child care providers, advocates, the media, and policy makers as each group makes decisions about or works on behalf of children and families.

September 1987

Methodology

This study is an update of information originally compiled in 1976. The data was secured from the central regulatory agency in each of the 50 states and the District of Columbia. The agencies were asked to verify the information we had gathered in a 1986 update and answer further questions on family day care homes and large family day care homes. This mailing took place during the month of June, 1987.

After this information was gathered, proof sheets were sent back to all the regulatory agencies for verification. Verification took place during the months of August and September.

The name and address of the state agency that supplied and verified the information for each state is located at the top of each state's fact sheet.

Acknowledgements

We are grateful to the heads of state agencies across the country who took time out of their busy schedules to provide ar verify the information contained in this study.

We would like to particularly thank Adele Diaz, who as a student intern from Duke University, conducted much of the work on this study, and Linda Eggbeer, Director of the Family Day Care Advocacy Project.

We hope that this study will be of continuing value to those working in the area of family day care.

Kay Hollestelle
Executive Director

Highlights of Key Findings

- Since 1983, approximately 50,000 family day care providers have joined the regulatory system. The 1983-84 Licensing Study reported a total of 155,000 regulated providers (with 6 states not reporting) while the 1987 Study has identified 198,344 regulated providers. This represents a 22.5% increase.

- Overall, there was little major regulatory movement during the past 4 years. Although there has been much discussion of the advantages of one type of regulation over another relative to encouraging providers to identify themselves and join "the system," this has not been reflected in any noticeable shift from one kind of regulation to another.

- A fairly dramatic increase in the number of states that have special provisions for or allow large family day care homes is evident since the 1983-84 Study. At that time, only 10 states had such provisions. As of 1987, 29 states had recognized the need to regulate these larger facilities.

- With regard to the area of training, there is very little change to be noted. As of 1983, 32 states had no training requirements for family day care providers. The 1987 Study reports that 29 states do not require providers to receive training.

- Anecdotal information from across the country confirms the fact that local zoning ordinances as well as restrictive covenants in neighborhood and condominium associations continue to act as barriers to the operation of family day care homes. An increasing number of states are now addressing the zoning issue at the state level. This Study found that at least 9 states now have some type of pending legislation regarding zoning.

- Relative to liability insurance, we found that at least 5 states are now attempting to do something about the insurance crisis at the state level.

- Overall, it would be fair to say that the picture of family day care across the country has not changed a great deal in the past 4 years. But it is also important to note that it is beginning to receive more much attention at the state level than has been true in the past so that we may be able to look forward to some significant movement over the next 5 years.

Definitions

These definitions are the ones established and used by The Children's Foundation for this study. We have attempted to be as clear and precise as possible but variations do exist from state to state. Please refer to individual state data or secure complete state regulations if questions arise.

CERTIFICATION/APPROVAL: Refer to definition of Registration. For all practical purposes is the same as registration but often linked to providers receiving public funds.

FAMILY DAY CARE HOME (FDCH): A child care arrangement in which up to six children are cared for in the home of the caregiver. Preschool children of the caregiver are counted as part of the group being served. State laws vary in determining the maximum number of children allowed in the home. The age of the children is sometimes used in establishing maximums.

INFANT: A child twenty-four months (2 years) old or younger.

LARGE FAMILY DAY CARE HOME (LFDCH): A child care arrangement in which a provider cares for from seven to twelve children in the home of the provider with an assistant(s) present. Some states refer to these homes as group homes.

LICENSING: The granting of formal permission by a designated state or local agency to an individual or legal entity to operate a child care facility. The state/local agency has the authority to ensure that standards are being met, set procedures for revoking a license and provide appeal mechanisms. In addition to the inspections carried out by the licensing agency, local fire and health departments also carry out on-site inspections of family day care homes. Generally, a license is issued and renewed as long as all of the applicable regulations are being met. The purpose, then, is to protect vulnerable consumers by setting a minimum floor for reasonably safe service.

ORIENTATION: An introduction to the profession of family day care offered to prospective providers. The state regulations regarding family day care, an overview on how to establish a family day care home, and the responsibilities of family day care providers are all topics that are normally covered in an orientation. Orientations are usually provided by local regulatory agencies.

PROVIDER: An individual who provides care in her/his own home for six or fewer children.

REGISTRATION: Type 1: Registration is a form of regulation that stresses caregiver self-inspection and parent awareness. It is

intended to identify service providers that the government cannot or chooses not to license. The process works in the following way: Registration standards are determined. (Generally standards used in licensing). When the provider receives information detailing these standards, s/he does a self-study to determine whether these standards are met. This study usually includes self-certification that the provider has met certain fire and health standards. On receipt of this information by the regulating agency, the FDCH is considered to be registered and has permission to operate. Inspections in many cases are not made unless a complaint is lodged. In some instances, parents are provided with a copy of the regulations and a form for filing a complaint.

Type 2: In some states, registration is a simple sign-up procedure where operating FDCHs are listed with the regulatory agency. These homes are not required to meet specified day care standards.

TRAINING: Mandatory instruction received by practicing family day care providers on topics such as child development, child abuse identification, program planning, first aid, CPR, and health and safety. Only some states require training prior to licensure or registration. The number of training hours and whether the training is required annually differ among the states.

ZONING: A form of land use restriction which has as its purpose the protection of private property values or neighborhood characteristics. Increasingly becoming a barrier to provision of family day care when local jurisdictions do not allow this care as a permitted use of residence.

1987 FAMILY DAY CARE LICENSING STUDY
The Children's Foundation

Questions and Answers Summary

In this section, the data is presented in a question and answer format in order to address the most frequently asked questions about family day care regulations in the United States. We invite you to refer to the study itself for details on each state.

Q - How many regulated family day care providers are there in the United States?

A - The results of our survey indicate that there are currently 198,344 regulated family day care providers in the United States. This figure includes small and large homes. Approximately 178,510 of these providers have family day care homes and 19,834, or about 10%, have large family day care homes (LFDCH). The 1987 update of our National Directory of Family Day Care Associations indicates that these 198,344 providers are being represented by almost 400 provider associations and support groups throughout the country.

Q - In terms of regulation, how many states license, register, or certify family day care providers?

A - Some states have chosen one form of regulation exclusively while others have chosen combinations of two methods of regulation depending on whether a day care home is small or large and whether it receives public funds or not. In addition, some states give providers the choice between two methods of regulation.

Twenty-two states, 43%, have chosen licensing exclusively:
AK, AL, AR, CA, CO, DC, IL, IN, KY, MN, MO, MS, NV, NH, NM, NY, ND, OK, TN, UT, WA, WY.

Nine states, 18%, have chosen registration exclusively:
CT, HI, IA, MA, MD, MT, NJ, NC, SD.

Three states, 6%, have chosen certification exclusively:
DE, NE, RI.

Nine states, 18%, have chosen a combination of registration and licensing: **FL, GA, KS, ME, MI, PA, SC, TX, VT.**

Three states, 6%, have chosen a combination of certification and licensing: **AZ, OH, WI.**

One state, 2%, has chosen to combine certification and voluntary registration: **OR.**

The following states have a combination of requirements that do not fall into the aforementioned categories. Please refer to state data.

ID - Voluntary licensing with some cities passing mandatory licensing laws.
LA - "Alternate approval" process for CCFP participation because there is no state licensing requirement.
NJ - No statewide regulations for family day care. Twenty-six sponsoring agencies with their own regulations that work with providers on a voluntary basis.
VA - Licensing for providers caring for more than 5 children. Agency approval for homes accepting children exclusively from welfare or social service departments.
WV - Potential providers must receive approval from the State Department of Human Services if they receive federal funds.

Q - How many states have established provisions for LFDCH (large family day care homes)?

A - Twenty-nine states, 57%, have declared LFDCH as a separate category for the purposes of licensing regulations. These states are: **CA, CO, CT, DE, GA, HI, IA, KS, MD, MI, MN, MS, MT, NE, NV, NH, NM, NY, ND, OH, OR, PA, SC, TN, TX, UT, VT, WA, WY.** In all of these states except for two, LFDCH are regulated by the same agency as FDCH. In **CT** and **MD**, LFDCH are regulated by another agency. The following states have pending legislation regarding LFDCH: **ID, IL, MA,**and **NC.** The legislation in **ID** establishes LFDCH as a separate regulatory category and in **IL, MA,** and **NC,** legislation would allow the existence of LFDCH.

Q - How many states require providers to have liability insurance?

A - Eleven states, 22%, require home providers to have liability insurance. The states of **KY, MT, NV, ND,** and **VT** require all family day care providers - large or small - to have insurance. The states of **CA** and **DE** require that only LFDC providers have liability insurance. The states of **TN** and **WA** require insurance only for transportation of the children and **WI** requires liability insurance for licensed providers only.

Q - How many states have a provider/infant ratio of 1:2 or 1:3? (The Children's Foundation's definition of infant is a child 24 months or younger.)

A - Twenty-eight states, approximately 55%, have a 1:2 or 1:3 ratio for provider to infants. These states have a 1:2 ratio: **AK, AR, CT, DC, ID, LA, MA, MD, MO, NV, NH, NJ, NM, NY, OR, RI, UT, VT, WA, WV, WY. HI, NE,** and **PA** also have a 1:2 ratio but these two states define an infant as a child 18 months and younger. **MN** has a 1:2 ratio, but defines an infant as a child 12 months and younger. **AK** has a 1:2 ratio, but defines infants as children 30 months and younger.

These states have a 1:3 ratio: **IL, OH.**

Q - How many states have no training requirement for providers?

A - Twenty-nine states, 57%, have no training requirement for providers. They are **AZ, AR, CA, CT, DC, HI, ID, IL, IN, KS, ME, MD, MA, MI, MS, MO, MT, NE, NH, NY, NC, OK, OR, PA, SC, SD, TX, VA, WA.** Of these, **CT, MD, NE, NH, OR, TX, WA** do require training for LFDC providers.

The remaining 22 states have some kind of training requirements which range from CPR or first aid to courses in child development.

Q - How many states require potential providers to participate in an orientation session(s)? Do any states require both orientation and training?

A - Eleven states, approximately 22%, require attendance at an orientation session: **AZ, CA, DC, DE, HI, LA, MD, MI, MO, MT, OR.**

Only two states, approximately 4%, require both orientation and training: **DE, LA.**

Fifteen states, approximately 29%, do not require prospective family day care providers to attend orientation. These states are **AL, AR, CO, CT. ID, IL, IN, ME, MA, MS, MT (except LFDC providers), NY, PA, SC, SD.**

The remaining 25 states made no specific mention of any orientation requirements.

Q - What is the age requirement to be a family day care provider?

A - The overwhelming majority of the states, approximately 90%, require that a person be at least 18 years of age to be a family day care provider. **NJ** age requirements will depend upon the regulations of the sponsoring agency. A few states have different age requirements. **NE** requires that a person be 19 years old and **CT** requires that a person be 20 years old. **AR, GA, SC,** and **SD** require that a person be 21 years old to be a provider. The state of **WY** has no age requirement. Only three states put a top range on their age limits of eligibility. In **AR** a person can be no older than 65, in **NH** no older than 70 and in **DC** no older than 71.

Q - How many states require either a physical examination and/or a TB test of potential providers?

A - Forty-one states or 83% have a physical exam and/or TB test requirement. The states that have no such requirement are: **FL, GA, IN, MS, MT, ND, OH, OR, TX, WA.**

Q - How many states screen potential providers through criminal record checks, fingerprinting, or the Child Abuse Registry?

A - Thirty-one states, 60%, have some sort of criminal check. These states are: **AZ, CA, CO, CT, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, MA, ME, MD, MI, MN, NV, NH, NM, NC, PA, RI, SD, TX, UT, VT, WA, WV.**

STATE BY STATE BREAKDOWN
OF FAMILY DAY CARE REGULATIONS

ALABAMA

Information
Supplied By: Ms. June Perry, Supervisor
Office of Day Care and Child Development
64 North Union Street
Montgomery, AL 36130
(205) 261-5785

2,600 regulated family day care homes statewide.

Regulations and Requirements
-Requires licensing; there is no fee.
-Staff/child ratio is 1:6; family members not included; no specific infant ratio.
-Liability insurance not required.
-Substitute caregiver system required before licensing; substitute caregiver not required to be licensed.
-Homes inspected before license is granted; subsequent on-site visits annually; no advance notice required for on-site visit.
-License renewal every two years.
-No provisions for LFDCH.

Training and Orientation
-Licensing includes a requirement that the provider obtain training which will aid her in her job; no hour requirements.
-Orientation for prospective providers not required but is conducted in some counties.

Provider Qualifications
-Provider must be at least 18 years old.
-Physical exam required before provider can operate and must have exam every 4 years.
-Family members must have physical exam initially if they are involved with the child care.
-Three written references required before licensing.
-No criminal record checks or fingerprinting are done.

Discipline
-Corporal punishment prohibited.

Zoning
-Day care homes must comply with local ordinances.

Pending Legislation
-Regarding family day care regulations, liability insurance, zoning for family day care providers.

ALASKA

Information
Supplied By: Pat O'Brien
Box H-05-0630
Department of Health and Social Services
Division of Family and Youth Services
Juneau, AK 99811
(907) 465-3209 (36)

394 regulated family day care homes statewide.

Regulations and Requirements
-Licensing required for 5 or more unrelated children; no fee.
-Licenses renewed biennially through reapplication/annual monitoring.
-FDC provider may care for maximum of 6 children unrelated to the provider; maximum of 2 may be under 30 months of age.
-Liability insurance not required.
-Substitute providers may be arranged; substitutes must meet same requirements as primary providers unless substitutes providing care only in the case of an emergency. There must be emergency care arrangements.
-Inspections of day care homes occur before licensure; subsequent visits biennially - announced and unannounced visits occur.
-No provisions for LFDCH.

Training and Orientation
-FDC providers must have first aid and CPR training prior to licensure.
-Orientation is provided for potential providers who reside in large communities - licensing regulations, licensing process, and a time for questions and answers included in orientation.
-Training is offered by some profit and nonprofit groups in the more populated sections of Alaska; difficult to have uniform training regulations because of the population dispersement in the state.
-Special training offered for providers who include disabled children/infants in their care.

Provider Qualifications
-FDC provider must be 18 years old.
-Physical exams required of prospective providers only if deemed necessary; TB test is required.
-Three positive written references required.
-Potential providers and other adults in home must sign statement verifying that they have no criminal record.
-No criminal record check or fingerprinting done.

Discipline
-Corporal punishment limited and requires parental consent.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-In the fall, hearings will be held to consider prohibiting corporal punishment.
-Governor's commission in process of proposing a quality child care program for Alaska.

ARIZONA

Information
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Day Care Specialist
Arizona Department of Economic Security
1400 West Washington (940A)
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1,076 regulated family day care homes statewide.

Regulations and Requirements
-FDCH caring for DES-subsidized children must be certified; no fee. DES certification is renewable each year.
-Provider may care for up to 4 unrelated children.
-Provider who cares for 5 or more children must be licensed as a center, under the jurisdiction of the Health Dept., and must meet all of their requirements.
-Liability insurance not required.
-Names of substitute caregivers must be submitted upon certification; these caregivers are back-ups and must have criminal record check and fingerprinting.
-Home inspections occur prior to certification; there are subsequent quarterly visits, announced or unannounced.
-There are no provisions for LFDCH in Arizona.

Training and Orientation
-No training is required; voluntary training is available and strongly recommended.
-Orientation session is required for prospective providers.

Provider Qualifications
-FDC provider must be at least 18 years old.
-Physical exam required before provider can operate FDCH.
-Three references required.
-Criminal record check and fingerprint check required of prospective provider and family members and other household residents age 18 or older; fee is $14/person which provider must pay.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances; jurisdictions responsible for enforcement.

Pending Legislation
-State established insurance pool on July 1, 1987 and DES certified providers are eligible to participate; not mandatory.
-Legislation on LFDCH has failed to pass for the past 2 years.

ARKANSAS

Information
Supplied By: Kathy Stegall
Arkansas Social Services
P.O. Box 1437
Little Rock, AR 72203
(501) 371-5001

600 regulated family day care homes statewide.

Regulations and Requirements
-Licensing required if provider cares for more than 6 children from more than 4 families; no fee.
-Licenses renewed annually.
-One provider may care for up to 10 children in FDCH if all are over age 3.
-If 2 children are under age 2, maximum of 7 permitted in FDCH.
-Two providers can care for maximum of 16 in one FDCH.
-Preschool family members included in all ratio numbers.
-Liability insurance not required; highly recommended.
-Substitute caregivers required before licensing; do not have to be licensed.
-FDCH inspected before licensure; subsequent inspections 4 times per year conducted at random, announced and unannounced.

Training and Orientation
-Training not required, highly recommended.
-No orientation program for potential providers.

Provider Qualifications
-FDC provider must be between 21 and 65 years of age; some exceptions granted after special consideration.
-Annual physical exam required of provider and adult family members living in home.
-Three written references required for licensing.
-No criminal record checks or fingerprinting required.

Discipline
-Corporal punishment prohibited for children under age 3 and required parental consent for older children.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-As of January 1, 1988, there will be a $15 licensing fee for any provider who cares for 25 or fewer children; these fees will be earmarked for a Child Care Provider Training Fund. Each fee will be matched dollar for dollar by the state licensing agency in order to create a budget for the training of day care providers in Arkansas. As of July 1987, the Governor is in the process of developing a Child Care Training Committee and regulations for a training program are being reviewed.

CALIFORNIA

Information
Supplied By: Connie Kundert
State Department of Social Services
Community Care Licensing
744 P Street - M/S 19-50 Central Operation
Sacramento, CA 93814
(916) 324-4031

35,030 regulated family day care homes and approximately 3,500 regulated large family day care homes statewide.

Regulations and Requirements

-Providers must be licensed; no fee.
-Staff/child ratio in FDCH is 1:6, with no more than 3 infants when there are 6 children including family members (no more than 4 infants total).
-Licenses renewed every 3 years on basis of an unannounced renewal visit.
-Liability insurance (See below: requirements the same as LFDCH)
-Licensing requires an announced inspection before it is granted; subsequent unannounced visits every 3 years and on the occasion of a complaint.
-Regulations include section on parental involvement, which states that parents have access to their children at any time.
-**Large Family Day Care Homes:**
  -Staff/child ratio is 2:12.
  -Required to have a fire clearance from the fire marshal.
  -Following alternatives must be followed regarding liability insurance:
  1)Aggregate amount of $300,000 with at least $100,000 per occurrence, or
  2)$300,000 bond (annual aggregate), or
  3)Signed affadavit from each parent acknowledging that provider has neither insurance nor a bond.

Training and Orientation

-No training required, voluntary training programs are available.
-Orientation sessions for FDC and LFDC providers conducted by district and county licensing offices; consists of an overview of licensing procedures, regulations, and community services.

Provider Qualifications

-Provider must be at least 18 years old.
-No physical exam except a TB test is required.
-Criminal record check, fingerprinting and a Child Abuse Index check are required for every person over 18 who lives, or is regularly present, in the provider's home; no fee for these checks which are conducted by California Department of Justice.

Discipline

-Corporal punishment prohibited; no written guidelines for discipline; methods of discipline discussed at orientation and before licensing occurs.

Zoning

-FDCH considered residential use of property for purposes of zoning.

-Law prohibits specific zoning against LFDCH, but are subject to special use permits in some areas. Fees have ranged from $300-1,600.

Pending Legislation

-Regarding hygiene practices in day care homes.

-Regarding tightening the definition of parent cooperatives.

COLORADO

Information
Supplied By: Elizabeth Kester
Family and Children's Services
Colorado Department of Social Services
P.O. Box 181000
Denver, CO 80218-0899
(303) 294-5700

5,800 regulated family day care homes and no regulated large family day care homes statewide.

Regulations and Requirements
-Providers who care for 2 or more children from more than 1 family on more than 2 consecutive days must be licensed, fee is $10 annually.
-Staff ratio is 1:6 including family members plus an additional 2 before and after school children.
-Liability insurance not required.
-FDCH inspected before licensing: 1 subsequent visit a year or whenever there is a complaint.
-Substitute caregiver required; need not be licensed.
-Licenses renewed biennially through renewal application.
-**Large Family Day Care Homes:**
  -Considered to be small centers with separate regulations.
  -Staff ratio is 1:6
  -Licensing fee is $10 if it is a proprietary center and $2 if it is a non-profit organization.

Training and Orientation
-Initial provider training required.
-Orientation for prospective providers not required but usually occurs.

Provider Qualifications
-Provider must be at least 18 years old.
-Initial physical exam followed by biennial exams required of provider and family members in day care home.
-Three written references required.
-Name of provider and persons living in home are screened with the central registry of child protection.
-Criminal records check or fingerprinting may be required of provider, provider's family, or persons employed by provider.

Discipline
-Corporal punishment prohibited; specific methods permitted.

Zoning
-FDCH must comply with local ordinances; may include special use permit and/or fee.

Pending Legislation
-Regulations regarding LFDCH.

CONNECTICUT

Information
Supplied By: Janet Chisholm
Department of Human Resources - Day Care
110 Bartholomew Avenue
Hartford, CT 06106
(203) 566-2893

3,300 regulated family day care homes and an estimated 3,400 regulated large family day care homes statewide. (A possible 2,000 unregulated large family day care homes)

Regulations and Requirements
-Registration required for FDCH; annual fee is $10.
-Registration renewed annually through provider self-declaring compliance with all regulations and re-application.
-Staff/child ratio is 1:6 including family members not in school full-time; maximum of 2 infants per provider.
-In addition to 6 full-time children, may have up to 3 part-time, before and after school.
-Liability insurance not required.
-Substitute caregivers must pass screenings similar to providers.
-Day care homes are inspected before registration; subsequent unannounced monitoring visits.
-Investigation and inspection made in response to all complaints.
-**Large Family Day Care Homes:**
  -Regulated by Department of Health.
  -7-12 children; may have total of 6 infants, including provider's own children, if an approved assistant (meets agency qualifications) is present at all times.

Training and Orientation
-No training or orientation for FDC providers.
-LFDC providers required by Dept. of Health to attend training.

Provider Qualifications
-Providers must be at least 20 years old.
-Initial and biennial physical exams required of provider and family members must have initial exams.
-References required.
-Protective services records checked for provider and household members.
-Criminal record check with state police required of provider and household members at no cost to provider.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH and LFDC must comply with local ordinances.

Pending Legislation
-Regarding possibility of FDCH and LFDCH both being considered legitimate uses of residential property and therefore exempt from zoning codes.

DELAWARE

Information
Supplied By: Pauline D. Koch, Director of Licensing Services
Division of Program Support
Dept. of Services for Children, Youth, and
Their Families
330 E. 30th Street
Wilmington, DE 19802
(302) 571-6436

813 regulated family day care homes and 20 regulated large family day care homes statewide.

Regulations and Requirements

-FDC providers must complete self-certification process.
-Certification renewed annually.
-Provider/child ratio is 1:6, including family members under school age; maximum of 4 children under 2 years of age.
-Liability insurance not required for FDCH.
-FDCH parents must be given copy of family day care regulations and have free access to children at all times.
-Children can be released only to persons authorized by parent(s) who has placed the child(ren) in care.
-Substitute caregiver required and her/his name, address, and phone number must be on file in provider's home; substitute does not have to be certified.
-Initial, announced inspection of day care home occurs within 90 days of certification; subsequent annual unannounced visits.
-Providers allowed to care for additional 2 children over capacity for up to 2 hours/day due to change in shifts or school age care.
-**Large Family Day Care Homes:**
  -Known as Group Day Care Homes.
  -Ratio: 7-11 children permitted with 2 providers.
  -Liability insurance required.

Training and Orientation

-Six hours of orientation/training required for prospective providers.
-Orientation/training curriculum includes: regulations and requirements, business practices, health and sanitation, communicable disease, child safety, child abuse awareness, discipline, and nutrition. Outside speakers conduct some portions of session; providers are tested on regulations and requirements.
-Effective September 1st, Delaware will add a testing period for providers who wish to administer medication.
-LFDC (or group home) providers participate in orientation/training with child care center providers.

Provider Qualifications

-FDCH provider must be at least 18 years old.
-Initial physical exam required of provider, family members who have direct contact with children, and children under 6 years of age living in the house.
-Subsequent exams required only if provider has ongoing health problem.
-Child abuse registry check done on potential provider before certification; s/he required to list any criminal offenses s/he has committed as well as those committed by family members.
-Three written references required.

Discipline

-Corporal punishment prohibited; positive reinforcement is encouraged as method of child management.

Zoning

-Family day care homes exempt from zoning regulations in most cases; in few areas, special permit and fee required.

Pending Legislation

-Regarding requiring criminal record checks-still in committee at end of legislative session on June 30, 1987.

DISTRICT OF COLUMBIA

Information
Supplied By: Herman L. Cook
Department of Consumer and Regulatory Affairs
Service Facility, Regulation Administration
614 H Street, N.W., Room 1031
Washington, D.C. 20001
(202) 727-7226

350 regulated family day care homes district-wide.

Regulations and Requirements
-Licensing required for FDC providers.
-Provider/child ratio is 1:5, provider/infant ratio is 1:2.
-Maximum of 5 children may be cared for including family members under age 6.
-Liability insurance not required.
-Substitute caregiver system required prior to licensing; substitute must meet same requirements as primary provider.
-Providers must have policy statement which addresses their rules for operating.
-An approved fire drill plan and emergency first aid training required.
-Inspections of homes required before licensing; subsequent visits conducted annually - announced and unannounced.
-No provisions for LFDCH.

Training and Orientation
-Orientation required for potential providers.
-Orientation includes information on licensing regulations in DC.
-Orientation offered once a month and lasts for approximately 2 hours.
-No training required.

Provider Qualifications
-FDC provider must be between 18 and 71 years of age.
-Initial physical exam required of provider; annual exams required of provider and adults in home when children are present.
-Three written references required.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-None.

FLORIDA

Information
Supplied By: Pamela Hutchinson
Department of Health and Rehabilitative Services
Children, Youth and Families Program Office
1317 Winewood Boulevard
Building 6, Room 450-G
Tallahassee, FL 32399-0700
(904) 488-4900

2,277 licensed family day care home statewide plus approximately 1,500 registered family day care homes.

Regulations and Requirements
-Licensed FDCH may have up to 5 children with one provider; additional before and after school children allowed as long as total number of children in home does not exceed 10.
-Provider/child ratios determined by state statute.
-No distinction between FDCH and LFDCH.
-Only 7 of Florida's 67 counties require licensure of FDCH.
-Homes not required to be licensed must register with Dept. of Health and Rehabilitative Services; these homes are not regulated but must complete a criminal background and screening clearance.
-Licensed homes are inspected before licensing and semi-annually.
-Licenses are renewed annually and require an on-site inspection for compliance with regulations.
-Liability insurance not required.

Training and Orientation
-Basic 3-hour training required which includes the identification of child abuse and neglect.

Provider Qualifications
-FDC provider must be at least 18 years old and of good moral character.
-Fingerprint check, local and state criminal record check, and abuse registry clearance required.

Zoning
-Effective October 1, 1986 registered or licensed FDCH are considered a valid use for purposes of zoning regulations.

Discipline
-Regulations for licensed homes prohibit corporal punishment.

Pending Legislation
-None.

GEORGIA

Information
Supplied By: Kathy Hickman, Standard Surveyor
Family Day Care Licensing
878 Peachtree Street, N.E., Suite 808
Atlanta, GA 30309
(404) 894-5688

6,000 regulated family day care homes and 210 regulated large family day care homes statewide.

Regulations and Requirements
-Registration for FDCH caring for more than 3 children required; registration via the mail, no fee.
-Provider may care for maximum of 6 children, not including family members.
-Provider/infant ratio is 1:7.
-Liability insurance not required.
-No initial inspection of day care home required; homes inspected at random, periodically; visits are unannounced.
-**Large Family Day Care Homes:**
  -Provider may care for 7-18 children.
  -Inspections of home are done.
  -Licensing required.

Training and Orientation
-FDCH: providers must have first aid training.
-LFDCH: providers must have child care related training courses from an accredited educational institution.
-Training is required every 3 years.

Provider Qualifications
-Day care provider must be 21 years old.
-Fingerprinting and criminal record check required of provider and family members; cost is $17 for provider and $3 for other adults in home.

Discipline
-Corporal punishment prohibited.

Zoning
-Day care homes must comply with local ordinances.

Pending Legislation
-None.

HAWAII

Information
Supplied By: Jane Okubo
Department of Social Services and Housing
P.O. Box 339
Honolulu, HI 96809
(808) 548-2302

201 regulated family day care homes statewide.

Regulations and Requirements
-Registration required; no fee.
-Provider can have up to 5 children; no more than 2 under 18 months excluding provider's children who are in school or enrolled in a child care facility for more than 6 hours/day.
-Liability insurance not required; providers must inform parents whether it is available or not.
-Homes are inspected before registration; subsequent visits occur annually or whenever there is a complaint. No advance notice of visit is necessary.
-Licenses are renewed annually with recertification forms.
-**Large Family Day Care Homes:**
  -6 or more children with staff ratio of 1:8 for 2 year olds; 1:12 for 3 year olds; 1:16 for 4 year olds; and 1:20 for 5 and older. All children must be over 24 months.
  -Must comply with all center care regulations.

Training and Orientation
-Training is not required; providers encouraged to make an effort to receive training.
-Orientation for prospective providers is on a one-to-one basis.

Provider Qualifications
-Provider must be at least 18 years old.
-Providers and all household members must have physical exam and clearance for TB before registration. No subsequent exams required.
-Two written references.
-Criminal record checks and fingerprinting done for provider and all other caregiving persons in the home.
-Child abuse background check is also done.
-Provider's employment history for three years preceding application is checked.

Discipline
-Corporal punishment prohibited.
-Providers cannot use humiliation or any other method which is injurious, frightening or damaging to the child's health or self-esteem.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-None.

Special Provisions
-Special training required for providers with disabled children in their care.

IDAHO

Information
Supplied By: Perry Ackerman
State Department of Health and Welfare
450 West State Street
Boise, ID 83720
(208) 334-5702

102 regulated family day care homes and 426 regulated large family day care homes (currently called centers) statewide.

Regulations and Requirements

-No mandatory licensing law; providers may choose to voluntarily become licensed, licenses renewed annually.
-Some cities have passed mandatory licensing laws to fill void in state law.
-At present, 2 categories of day care exist - FDCH and group or large day care homes and centers with both regulated under day care center licensing rules and regulations; FDCH - 4 or fewer children plus maximum of 2 family members.
-In FDCH, provider can have maximum of 6 children, but only 4 can be from families other than her/his own; maximum of 2 under age 2.
-If licensed, substitute caregiver required who does not have to be licensed.
-Initial inspection required before licensing; annual licensing visits made during license renewal and 6-month revisit studies also made.
-Fire and health inspections required for centers, but not FDCH.
-**Large Family Day Care Homes:**
  -Known as group family day care homes have from 5 to 12 children. (Centers allowed 13 or more children.)
  -Fire and health inspections required for group homes (5-12 children) only under certain conditions.

Training and Orientation

-No training or orientation required.

Provider Qualifications

-FDC provider must be 18 years old.
-Physician's statement on provider's health required.
-Three references required.
-Criminal record checks, though not required by law, are done. (are required by some local day care laws)

Discipline

-No child is to be subjected to cruel, severe, unusual or unnecessary punishment inflicted upon the body or verbal abuse, threats, or derogatory remarks about the child or his/her family; methods of discipline must be posted in FDCH.

Zoning

-FDCH must comply with local ordinances.

Pending Legislation

-As of March 1, 1988, there will be 3 categories of day care facilities - FDCH, LFDCH, and centers; FDCH - 6 or fewer children, LFDCH - 7-12 children, and centers - 13 or more children. Licensing will be mandatory for centers and optional for FDCH and LFDCH. If FDCH and LFDCH choose to become licensed, will receive basic day care licenses. LFDC providers will, however, be required to have criminal record checks and fire inspection certificates.

ILLINOIS

Information
Supplied By: Tom Felder
Licensing Specialist
Dept. of Children and Family Services
406 East Monroe Street
Springfield, IL 62701-1498
(217) 785-2592

5,053 regulated family day care homes statewide.

Regulations and Requirements
-FDC providers required to be licensed if caring for more than 3 children; no licensing fee.
-Licenses renewed every 2 years.
-Provider/child ratio is 1:8 with no more than 3 under age 2.
-With more than 3 under age 2, assistant required.
-Liability insurance not required.
-Substitute caregiver required before license granted; substitutes do not have to be licensed.
-Inspections of home prior to licensing and annually thereafter (subsequent visits may be unannounced).
-No provisions for LFDCH at present(see pending legislation).

Training and Orientation
-No training or orientation required.

Provider Qualifications
-FDC provider must be 18 years old.
-Initial physical exam and biennial exams required of provider and provider's family.
-Three written or oral references required.
-Criminal record check, Child Abuse Registry check, and fingerprinting required.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-Bill has passed in Illinois that establishes provisions for LFDCH with 8-12 children; as of July 22, 1987, the Governor had not acted on the bill but was expected to do so soon. If passed, regulations regarding LFDCH will be determined by the Children and Family Services department.

INDIANA

Information
Supplied By: Keith Carver
Supervisor, Day Care Licensing Unit
Indiana State Dept. of Public Welfare
141 South Meridian Street, 6th Floor
Indianapolis, IN 46225
(317) 232-4440

1,312 regulated family day care homes statewide; 824 of these licensed to care for 7-10 children.

Regulations and Requirements
-FDC providers required to be licensed if they care for 6 or more children; no fee.
-Licenses renewed annually; providers re-submit application and criminal history affidavit and an updated home study and inspection are done.
-Maximum of 10 full-time children permitted under age 14; an additional 5 part-time children may be cared for also (less than 4 hours/day).
-FDCH must be inspected prior to licensing; subsequent visits annually and can be unannounced.
-Liability insurance not required.

Training and Orientation
-No training or orientation required.

Provider Qualifications
-Provider must be at least 18 years old.
-Three written references required.
-Law includes provision for conducting criminal record checks, but it is not mandatory; cost is $7.
-Each provider required to submit signed, notarized criminal history affidavit attesting that she has never been arrested for or convicted of child abuse/neglect or any of the 10 sexual offenses (stated in Indiana Code).

Discipline
-Corporal punishment prohibited in day care centers but not FDCH.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-New day care home regulations are in promulgation process; estimated date of statewide implementation is April, 1988.

IOWA

Information
Supplied By: Harold Poore
Iowa Department of Human Services
Hoover State Office Bldg. - 5th Floor
Des Moines, IA 50319
(515) 281-6074

2,778 regulated family day care homes and
577 regulated large family day care homes statewide.

Regulations and Requirements
-Registration for FDCH is on voluntary basis; no fee.
-Staff ratio is 1:6 including provider's preschool children.
-No home inspection required before registration; 20% of FDCH are spot checked each year.
-Registration certificates renewed annually through reapplication.
-**Large Family Day Care Homes:**
  -Known as Group Family Day Care in Iowa.
  -Required to be registered.
  -Must have second staff person if 7 or more children are present for 2 or more hours at a time.
  -Allowed to have 7-11 children.
  -Must meet certain safety requirements and have quiet area for sick child.
  -Registration certificates renewed annually by reapplication.

Training and Orientation
-Providers must have 2 hours of training every 5 years in child abuse identification and reporting.

Provider Qualifications
-Provider must be at least 18 years old.
-Must have physician's signed statement, obtained at first registration and at least every 3 years thereafter, on all members of provider's household, stating that all members of household are free from disease or disabilities that would prevent good child care.
-Criminal record and child abuse registry checks done on provider and family members.
-No fingerprinting.

Discipline
-Corporal punishment not prohibited.
-No discipline shall be used that is physically or emotionally harmful to a child.

Zoning
-Zoning requirements not part of registration requirements.

Pending Legislation
-None.

KANSAS

Information
Supplied By: Shirley Norris
Department of Health and Environment
900 S.W. Jackson Landon State Office Bldg.
Topeka, KS 66620
(913) 296-1272

3,000 registered family day care homes, 2,300 licensed family day care homes and 171 regulated large family day care homes statewide.

Regulations and Requirements
-FDC providers caring for 6 or fewer children must be registered; annual fee is $5.
-FDC providers caring for 7-10 children must be licensed; annual fee is $15.
-Licenses are renewed annually based on date of previous license expiration.
-FDC regulations include section allowing parents total access to their children in the FDC homes.
-DCH are inspected before licensing, those providers that are just registering do not have to be inspected.
-There are subsequent annual visits to homes for inspection.
-**Large Family Day Care Homes:**
  -LFDC provider may care for 10-12 children.
  -Provider must be licensed; annual fee is $15 and license is renewed annually.

Training and Orientation
-FDCH: no training required.
-LFDCH: minimal amount of training required on an annual basis.

Provider Qualifications
-FDC provider must be at least 18 years old.
-Initial physical exam required before provider can begin operating.
-Criminal record check (no fingerprinting) and Child Abuse Registry check done on provider and provider's family members; no fee for the check.

Discipline
-Corporal punishment not prohibited; Methods of discipline shall be appropriate to the age and developmental level of the child. Punishment shall not be humiliating, frightening, or physically or mentally harmful to the child.

Zoning
-FDCH and LFDCH must comply with local ordinances/not state regulation.

Pending Legislation
-None.

KENTUCKY

Information
Supplied By: Bess Turpin
Human Services Program Specialist
Division of Licensing and Regulations
Cabinet for Human Resources
275 East Main Street
CHR Bldg. - 4th Floor East
Frankfort, KY 40621
(502) 564-2800

197 regulated family day care homes statewide.

Regulations and Requirements

-Licensing required for FDCH providing care for more than 4 children; initial licensing fee is $50.
-Licenses renewed annually; renewal fee is $25.
-Kentucky divides day care facilities into two types - Type 1 and Type 2; FDC comes under the Type 2 description.
-Type 2 homes may provide care for 4-12 children, including provider's own children.
-The age of the youngest child in care determines how many children may be in the home and stay within bounds of provider/child ratios.
-With 1 child 2 years old or younger, no more than 6 children may be cared for; if youngest child is between 2 and 3 years old, no more than 10 children may be cared for.
-When more than 10 children are cared for, an assistant required.
-Liability insurance required prior to licensing.
-Minimum of 2 substitute caregivers required.
-FDCH inspected before licensing; subsequent visits occur during annual renewal and on occasion of complaints.

Training and Orientation

-State statutes require that directors of day care facilities (Types 1 and 2) have plans for staff training; details of training are non-specific.

Provider Qualifications

-FDC provider must be 18 years old.
-TB tests required of provider, assistants, and all adults residing in home.
-Criminal record checks and fingerprinting required.

Discipline

-Corporal punishment prohibited.
-Discipline methods must be in writing and adhere to FDC regulations.

Zoning

-FDCH must comply with local ordinances; licensing office does recommend in its information packet to potential providers that they contact the local zoning board to find out about zoning regulations in their communities.

Pending Legislation

-Regarding revision of regulations for day care providers.

-Movement in Kentucky to have registration system for all FDC providers, not just those caring for more than 4 children; movement in early stages but has strong support from government and child advocates in Kentucky.

LOUISIANA

Information
Supplied By: Jane Mandell, Section Chief
School Lunch and Breakfast Program
P.O. Box 44064
Baton Rouge, LA 70803
(504) 342-3698

5,200 regulated family day care homes statewide.

Regulations and Requirements
-Alternate Approval required for FDC providers; annual fee of $35. No requirements if caring for less than 6 children.
-All Approved providers participate in the Child Care Food Program.
-Provider/child ratio is 1:6; provider/infant ratio is 1:2.
-In accordance with CCFP regulations, homes are inspected prior to registration; annual registration renewal visits and other unannounced visits are conducted.
-Providers caring for more than 6 children are considered to be running a center.

Training and Orientation
-Prospective providers must participate in orientation.
-Providers required to receive instruction in recordkeeping.
-Training required through sponsoring agencies. In LA, there are approximately 30-35 nonprofit sponsoring agencies that have contracted with the state to train FDC providers. State trains these agencies who in turn train the providers; state monitors the implementation of training program.

Provider Qualifications
-FDC provider must be 18 years old.
-Providers must document that they have had a physical exam.
-No criminal record check or fingerprinting required.

Discipline
-Meal service may not be used as a means of discipline.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-None.

MAINE

Information
Supplied By: James R. Floyd
Department of Human Services
Child Care Licensing Unit
State House Station 11
Augusta, ME 04333
(207) 289-5060

1,100 regulated family day care homes statewide (approximately 400 are licensed for 7-12 children).

Regulations and Requirements

-Provider caring for 3 or more unrelated children must be licensed or registered; provider has the choice.
-Licenses renewed annually; $10 fee.
-Registered providers pay $20 fee every 2 years.
-Homes inspected before licensing; annual inspections follow initial inspection-notice is usually given.
-Single provider may care for:
  -4 children under 2, or
  -8 children over 2, plus 2 school age children, or
  -6 children, with maximum of 3 under 2, plus 2 school age.
-Two providers may care for:
  -8 children under 2, or
  -12 children over 2, or
  -12 children, maximum of 6 under age 2.
-Three providers may care for:
  -12 children under 2, or
  -12 children over 2, or
  -12 children, maximum of 9 under age 2.

Training and Orientation

-No training or orientation required.

Provider Qualifications

-FDC provider must be at least 18 years old.
-Licensed providers must have initial physical exam and TB test; subsequent physicals every 3 years.
-Family members must have physicals if they help in caregiving.
-Registered providers required to have TB test only.
-Licensed providers required to have 3 written references.
-Criminal record check and Child Protective Services check done.

Discipline

-Corporal punishment prohibited.

Zoning

-FDCH must comply with local ordinances.

Pending Legislation

-Will be proposed that day care homes comply with local regulations as is provided in day care center rules.

MARYLAND

Information
Supplied By: Helena Hicks
Family Day Care Licensing
Social Services Administration
Department of Human Resources
311 West Saratoga Street
Baltimore, MD 21201

8,000 regulated family day care homes and ___large family day care homes statewide.

Regulations and Requirements
-Registration required for FDC providers; no fee.
-Registration renewed every 2 years.
-FDC providers may have maximum of 6 children including family members; maximum of 2 children under age 2.
-Inspections required before home is registered; subsequent unannounced visits occur whenever there is a complaint or upon request of provider.
-Liability insurance not required; insurance companies are required to offer liability insurance for FDC as riders to homeowners and automobile insurance policies.
-Providers required to give parents copies of pamphlet - "Family Day Care - A Guide to Parents" and state regulations.
-**Large Family Day Care Homes:**
  -Licensed by Department of Health and Mental Hygiene.
  -A group may not exceed 20 children. Provider/child ratios vary with ages. No child allowed under the age of two.

Training and Orientation
-Orientation required, includes information on regulations, safety and health issues, and child abuse identification.
-No training required.
-Special training required for LFDCH; depends upon age of children in care.

Provider Qualifications
-FDC provider must be 18 years old.
-Physical exam required of provider and all household members.
-Three written references required.
-Criminal record check and Child Abuse Registry check required of provider and family members over age 18.
-LFDCH providers must be at least 21 years old.

Discipline
-Corporal punishment prohibited.

Zoning
-Day care homes must comply with local ordinances.

Pending Legislation
-None.

MASSACHUSETTS

Information
Supplied By: Martha Milton-Roberts
Day Care Director
Office for Children
150 Causeway Street, 9th Floor
Boston, MA 02114
(617) 727-8956

9,439 regulated family day care homes statewide.

Regulations and Requirements
-Registration required for FDC providers; no fee.
-Registration renewal every 2 years.
-Providers may care for maximum of 6 children including family members; provider/infant ratio is 1:2.
-Liability insurance not required.
-About to begin program of inspecting FDCH prior to or within 6 months of registration.
-Subsequent visit made within renewal period - unannounced.
-No provisions for LFDCH.

Training and Orientation
-No training or orientation required.
-Voluntary training by community does exist.
-In process of developing an orientation process for potential providers.

Provider Qualifications
-FDC provider must be 18 years old.
-Provider and provider's family members must have statement of health within 3 years of registration
-Two written personal references required.
-Employer reference also required if person applying for registration has been employed outside home within 5 years prior to application.
-Criminal record checks done on provider, all family members age 17 and over, and approved assistant

Discipline
-Corporal punishment prohibited.

Zoning
-New law just passed that amends state's Zoning Act; law says that use of residence as a registered FDCH is permitted under local zoning laws except where the city or town expressly acts to regulate or prohibit FDCH. Since most local zoning laws do not address FDCH, amendment changes presumption that the use of a home as a FDCH is illegal to new presumption that it is a legal use.

Pending Legislation

-Regarding allowing a pilot program to exist in one region of MA that would permit LFDCH (6-12 children); program run by Office for Children.

-Legislation that would require state to provide orientation for potential providers and discussion being given to introducing legislation that would require potential providers to participate in this orientation.

MICHIGAN

Information
Supplied By: Ted de Wolf, Director
Michigan Dept. of Social Services
Division of Child Day Care Licensing
300 South Capital Avenue, Suite 1020
Lansing, MI 48933
(517) 373-8300

9,779 regulated family day care homes and 769 regulated large large family day care homes (estimate that there are 80-90% more LFDC providers that are unregulated) statewide.

Regulations and Requirements
-FDC providers may have 1-6 children and are required to be registered; no fee.
-Staff ratio is 1:6, including family members under 7 years old.
-Certificates of registration renewed every three years via the mail.
-Liability insurance not required.
-Substitute caregiver required for emergencies.
-FDCH inspected within 90 days of receiving certification; 10% random sampling of homes annually; visits usually scheduled unless complaint warrants unannounced visit.
-**Large Family Day Care Homes:**
  -May serve 7-12 children known as Group Family Day Care Homes.
  -Must be licensed with renewal every 2 years following on-site visit.
  -Special requirements include fire safety provisions for child occupancy above 2nd floor; emergency alarm and procedures; nighttime care, and fire extinguishers.

Training and Orientation
-No training is required.
-Orientation required for FDC providers.

Provider Qualifications
-Provider must be at least 18 years old.
-Signed statement by licensed physician required before provider can give child care and then biennially; statement must refer to provider's mental and physical capacity in handling children.
-Caregivers over 65 must provide statement annually.
-Provider and family members over 14 must have TB test.
-Three written references required.
-Criminal record check required (no fingerprinting) for provider and family members over 18.
-Child Abuse Central Registry also reviewed.

Discipline
-Corporal punishment including spanking prohibited.

Zoning

-FDCH and LFDCH are expected to comply with local ordinances. However, a license or certificate of registration will be issued as licensing law does not require such compliance.

Pending Legislation

-MI Bureau of Regulatory Services is in process of reviewing and revising proposed legislation for adult foster care and various child care organizations which include FDCH and LFDCH. Administrative rules are currently being promulgated for FDCH and LFDCH.

-Chapter 65 of PA173 of 1987 recently enacted to allow the formation of limited liability insurance pools including those for non-profit day care providers.

-Many local zoning boards are revising ordinances.

MINNESOTA

Information
Supplied By: Karen Carlson
Licensing Division
Department of Human Services
Space Center, 444 Lafayette Road
St. Paul, MN 55155
(612) 296-3024

9,574 regulated family day care homes statewide (approximately 25% of these are licensed for 10, 12, or 14 children).

Regulations and Requirements

-FDC providers required to be licensed; no fee.
-Licenses are renewed annually through reapplication procedure.
-Staff ratios are: 1:5, maximum of 3 infants; 1:6, maximum of 2 infants; 1:10, no more than total of 3 may be infants and toddlers with maximum of 2 infants, and at least 4 must be school-age.(Infants defined by MN as 12 months and under, toddlers as 12-30 months)
-Ratios include provider's own children 10 years of age and under.
-Liability insurance strongly encouraged; if provider has insurance less than $100,000/person and $250,000/occurrence, or no insurance, written notice of level of coverage must given to and signed by parents of each child in day care home.
-Substitute caregivers restricted to 30 days per 12 month period.
-Day care homes inspected prior to licensing; subsequent visits at annual relicensing-advance notice given.
-**Large Family Day Care Homes:**
  -May care for 10, 12, or 14 children.
  -Must adhere to following staff ratios:
    10 children: maximum of 3 infants and toddlers--only 2 may be infants; 2 must be school age; one provider.
    12 children: maximum of 2 infants and toddlers--only 1 may be an infant; 2 must be school age; one provider.
    14 children: maximum of 4 infants and toddlers--only 3 may be infants; 2 must be school age; two providers.

Training and Orientation

-No training required before license granted; provider must have 9 hours of CPR within 1 year of or 1 year prior to licensing, in addition to 6 hours of child development.
-LFDC providers must meet one of three separate qualification requirements to begin LFDCH care; the first option is a minimum of 1 year's experience as a licensed FDC provider and the other two options are combinations of experience as a provider, teaching assistant, nurse, etc. coupled with specified hours of training or child development education.

Provider Qualifications

-FDC provider must be at least 18 years old.
-Provider and all adult caregivers assisting with care must have physical exam within 12 months of licensing.
-Criminal record checks required; fee varies and some counties will pay fee.

Discipline

-Corporal punishment prohibited.

Zoning/Pending Legislation

-Legislation passed in 1987 states that the commissioner must not issue a provider a license before giving 30 days written notice to affected municipality unless the day care home is considered a permitted single-family residential use (defined as a day care home caring for 12 or fewer children); therefore, only LFDCH caring for 14 children are affected by this new provision. This legislatioon went into effect July 1, 1987.

MISSISSIPPI

Information
Supplied By: Jane Emling
Child Care Service Director
State Board of Health
P.O. Box 1700
Jackson, MS 39215-1700
(601) 960-7740

Data on number of regulated family day care homes unavailable.

Regulations and Requirements
-Licensing required for homes with more than 6 children.
-Annual registration fee of $25.
-Liability insurance not required.
-License renewal is annual upon completion of inspections and submission of renewal fee.
-Inspections occur before license is issued and twice a year thereafter.
-**Large Family Day Care Homes:**
  -Allows up to 15 children.
  -No specific regulations.
  -Infant ratio 1:5

Training and Orientation
-Training not required.
-No orientation process.

Provider Qualifications
-Provider must be at least 18 years old.
-No physical exam or TB test required. Health statement required before licensing.
-No criminal record checks or fingerprinting required.

Zoning
-Must comply with local zoning ordinances.

Pending Legislation
-None.

MISSOURI

Information
Supplied By: Pat Wojciehowski
State Child Care Licensing
Division of Family Services
P.O. Box 88
Jefferson City, MO 65103
(314) 751-2450

1,225 regulated family day care homes.

Regulations and Requirements
-Licensing required; renewed annually.
-Provider may care for maximum of 10 children.
-Staff/infant ratio is 1:2.
-Liability insurance is not required.
-Parents required to sign statement indicating that they have seen a copy of the licensing rules.
-Substitute caregiver required before license is given.
-Inspections occur before license is granted; 2 supervisory visits and a renewal inspection required. More visits conducted if necessary.

Training and Orientation
-Providers must attend an orientation session.

Provider Qualifications
-FDC provider must be at least 18 years old.
-Physical exams necessary for provider and any family member that is part of the business.
-Three written references required.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-None.

*No information on criminal record checks reported.

MONTANA

Information
Supplied By: Charles McCarthy
Department of Family Services
P.O. Box 8005
Helena, Montana 59604
(406) 444-3865

550 regulated family day care homes and 180 regulated large family day care homes statewide.

Regulations and Requirements
-Homes registered for 1-6 children including family's children who are preschool age; no registration fee.
-Registrations renewed annually through reapplication.
-Liability insurance required by law.
-No inspection required before registration; 15% of homes inspected annually.
-**Large Family Day Care Homes:**
  -Must be registered.
  -Maximum of 12 children with 2 providers.

Training and Orientation
-LFDCH: Providers must attend an orientation; no set curriculum/agenda; curriculum varies depending on provider's residential district.

Provider Qualifications
-Provider must be at least 18 years old.
-Three written or oral references required.
-No criminal record checks or fingerprinting required.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH and LFDCH exempt from conditional use permit requirements; both are legitimate uses of residential property

Pending Legislation
-None.

NEBRASKA

Information
Supplied By: Deb Dawson
Department of Social Services
P.O. Box 95026
Lincoln, NE 68509
(402) 471-3121

1,913 regulated family day care homes and 75 large family day care homes statewide.

Regulations and Requirements
-Self-certification process for FDC providers; fee is $25 and must be renewed every 2 years.
-FDC providers may care for up to 8 children including family members under 8 years old; no more than 2 children may be under 18 months old.
-For FDC, there is a self-administered home inspection prior to certification; random inspections are made of 5% of homes annually.
-Liability insurance is not required.
-**Large Family Day Care Homes:**
  -9-12 children with 2 providers; or 8 or fewer children if more than 2 of the children are under 18 months old.
  -Maximum of 4 infants.
  -Must be inspected by Fire Marshal, Dept. of Health, and Dept. of Social Services.

Training and Orientation
-FDC providers are not required to have formal training.
-LFDC Providers must meet one of following:
  *2 years professional experience
  *1 year in LFDCH experience
  *2 credit hours or 20 clock hours in early childhood education.

Provider Qualifications
-FDC provider must be at least 19 years old.
-Physical exam including blood test, urinalysis, self-disclosure statement on substance abuse and treatment for mental health problems.
-Three written references required.
-Some cities have permit requirements which includes criminal records check.

Discipline
-Corporal punishment in form of an open hand on the buttocks is allowed in FDCH with written permission from parents.
-Corporal punishment prohibited in LFDCH.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-None.

NEVADA

Information
Supplied By: Patricia J. Hedgecoth, Chief
Bureau of Services for Child Care
505 E. King Street, Room 606
Carson City, NV 89710
(702) 885-5911

300 regulated family day care homes and 40 regulated large family day care homes statewide.

Regulations and Requirements

-Licensing required by State law when caring for 5 or more children for compensation; $5 application fee plus fifty cents per child is charged. (Fee for Stte licenses only.)
-Licenses renewed annually.
-FDC providers may care for maximum of 6 children, not including family members; maximum of 2 children under 2 years of age.
-Liability insurance required.
-Subtitute caregiver required; does not have to be licensed, providers must give the name and phone number of the substitute to the licensing agency.
-Initial inspections prior to licensure; subsequent inspections throughout year with minimum of 2 per year - inspections are random and advance notice not given.
-**Large Family Day Care Homes:**
  -7-12 children must be cared for by 2 providers.
  -Provider/infant ratio of 1:2 maintained.
  -Same licensing standards as FDCH.

Training and Orientation

-Providers must take an initial 3 hours of training within the first six months of licensing; 3 hours of continuing education annually follows.

Provider Qualifications

-Provider must be 18 years old.
-Assistants must be at least 16 years old and have had a Child Development course.
-Physical exams not required; TB test is required, renewable every 2 years.
-FBI background checks conducted on all licensees and adult family members living in home.

Discipline

-Corporal punishment prohibited.

Zoning

-Day care homes must comply with local ordinances.

Pending Legislation

-Regarding the regulations for LFDCH.

NEW HAMPSHIRE

Information
Supplied By: Robert Letellier
Chief
Bureau of Child Care, Standards and Licensing
Health and Human Services Building
6 Hazen Drive
Concord, NH 03301-6527
(603) 271-4624

392 regulated family day care homes and 144 regulated large family day care homes statewide.

Regulations and Requirements
-Licensing required; renewed every 2 years.
-FDCH may have a maximum of 6 children including family members plus 3 school aged children; no more than 2 children under 2 years old and no more than 3 under 3 years old. If 4 children under 3 are in the home, then only 5 children total permitted in home.
-Substitute caregiver required.
-All DCH inspected by health and fire departments; inspection by licensing bureau occurs prior to license being granted and twice during two-year license period; at least one inspection/license period is unannounced.
-**Large Family Day Care Homes:**
  -2 caregivers with 7-12 children and up to an additional 5 school age children.
  -Same provider/infant ratios.

Training and Orientation
-Training not required; available upon request.
-LFDC providers under 21 years of age must have a child care vocational course.

Provider Qualifications
-FDC provider must be at least 18 years old and not more than 70 years old.
-Physical exams required every 2 years.
-In-state criminal and child abuse record checks required for provider and for anyone in home over 18 years old.

Discipline
-Corporal punishment prohibited as is punishment which is humiliating, shaming, frightening or otherwise damaging to children. Children's behavior supported with positive guidance.

Zoning
-FDCH and LFDCH must comply with local ordinances.

Pending Legislation
-None.

NEW JERSEY

Information
Supplied By: Sally Duff
NJ Family Day Care Organization
Children's Home Society **
924 Parkside Ave.
Trenton, NJ 08618
(609) 695-6274

988 regulated family day care homes providing care for 3,500 children statewide.

Regulations and Requirements

-New Jersey has a system which includes 26 sponsoring agencies that work with family day care providers; these sponsoring agencies can be for-profit or non-profit.
-Each sponsoring agency has a designated area and persons wishing to be FDC providers in their designated area have the option of working with a sponsoring agency; providers choosing to work with a sponsoring agency must meet the requirements of that agency - requirements vary from agency to agency. There are NO uniform agency requirements in New Jersey at this time.
-Providers that do not participate in a sponsoring agency program have no regulations or requirements to meet.
-FDC providers working with a sponsoring agency may care for 5 or fewer children, maximum of 2 under age 2.
-Liability insurance is not required but most sponsoring agencies are involved with group liability insurance plans; some agencies collect premiums from providers working with their agency and then pay for the insurance as an employer would and other agencies provide the insurance free of charge to the providers.
-No provisions for LFDCH; providers caring for 6 or more children are considered to be running a day care center.

Training and Orientation

-Training requirements vary among the sponsoring agencies.

Provider Qualifications

-FDC providers must be 18 years old.
-Initial physical exams and biennial exams required.
-Two written references required.
-Self-verification statement required that discloses the criminal convictions of the provider, provider substitute and all members of the provider household.

Discipline

-Corporal punishment prohibited.

Zoning

-FDCH must comply with local ordinances.

Pending Legislation

-On January 27, 1987, Governor signed into law a voluntary FDC registration bill and New Jersey is now in the process of writing the regulations that would accompany this voluntary registration. When regulations are complete, the process will be as follows: the state will contract with the sponsoring agencies to register FDC providers in accordance with the new regulations. The state will not be in the business of registering these providers themselves. The anticipated date of implementation for new regulations is December 1, 1987 or January 1, 1988.

-Proposed regulations as of July 22, 1987 include a mandatory training requirement of 6 hours of training prior to licensure which would include child development, health and safety, and nutrition; continuing training through the year would also be required.

-Other pending legislation in New Jersey includes gaining relief from zoning restrictions for FDC providers; presently are some municipalities in NJ that forbid FDCH in their areas.

** These regulations represent only those of the Children's Home Society, one of twenty-six sponsoring agencies in the state.

NEW MEXICO

Information
Supplied By: Steven M. Borland, Supervisor
Health and Environment Department
Health Services Division
Licensing, Health Related Facilities Section
P.O. Box 968
Santa Fe, NM 87504-0968
(505) 827-2444

262 regulated family day care homes and 112 of these are licensed for large family day care statewide.

Regulations and Requirements
-Licensing required for providers caring for 5 or more children; $15 annual licensing fee with renewal.
-FDCH may have maximum of 6 children with no more than 2 under the age of 2, includes provider's children under age 6.
-Liability insurance not required.
-Inspections occur before licensure and annually thereafter.
-Large Family Day Care Homes:
-7-12 children may be cared for with maximum of 4 under age 2.
-Provider/child ratio is 1:6 and provider/infant ratio is 1:2.

Training and Orientation
-Training required for FDC and LFDC providers.
-FDC: Providers must have 6 hours training annually in topics such as first aid, sanitation, budgeting, etc.
-LFDC: Providers must have 12 hours training annually; 6 hours will cover topics covered with FDC providers and the other 6 will be in child development.

Provider Qualifications
-Day care provider must be 18 years old.
-Initial TB test required.
-Criminal record checks and fingerprinting required for provider and household members over 18 years old; cost is $14 per person. (Paid to the Federal Bureau of Investigations.)

Discipline
-Corporal punishment prohibited.

Zoning
-All facilities must comply with local ordinances.

New Regulations
-Effective July 20, 1987, training is required for FDCH and LFDCH and a separation is made between FDCH and LFDCH.

NEW YORK

Information
Supplied By: Betty Flynn
Department of Social Services
Family and Children Services
40 N. Pearl Street, 11th Floor
Albany, NY 12243
(518) 474-3166

4,034 regulated family day care homes and approximately 25 regulated large family day care homes statewide.

Regulations and Requirements
-Licensing required; no fee. Licenses renewed annually.
-FDCH may have 3-6 children with no more than 2 under the age of 2.
-There may be no more than 5 children if at least 1 child is under 3.
-Two additional school aged children may be cared for with agency approval of the increased capacity.
-Liability insurance not required.
-Law required that parents have unlimited access to their children while in FDCH.
-Homes inspected prior to issuing and renewing licenses; if there is a complaint homes can be visited unannounced.
-**Large Family Day Care Homes:**
  -Two providers care for up to 10 children with no more than 4 being under the age of 2, or up to 12 children if none are under the age of 2.
  -Two additional school aged children may be cared for during before and after school hours.
  -LFDC providers also required to be licensed which are renewed every two years.

Training and Orientation
-No training or orientation required.

Provider Qualifications
-FDC provider must be at least 18 years old.
-Physical exams required prior to issuing and renewing licenses.
-References required.
-Providers must sign sworn statement indicating whether, to the best of their knowledge, they have never been convicted of a crime in New York State or any other jurisdiction.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.
-State statute exempts LFDCH from any special zoning requirements except where they are located above the ground floor of a multi-family dwelling that is not fireproof.

Pending Legislation

-Regarding granting the authority to the NYS Dept. of Social Services to register family day care providers throughout the state and to prohibit local government from establishing zoning requirements for FDCH other than those required for private residence.

***NEW YORK CITY REGULATIONS**

-In New York City, there are two sets of licensing regulations being enforced currently. One system is run by the Agency for Child Development and the other is run by the Health Department.

-AGENCY FOR CHILD DEVELOPMENT SYSTEM: (ACD, 140 Church Street, New York, NY 10013)

- -Oversees the regulation of over 2,000 regulated family day care homes citywide.
- -Regulations for NY state (see above) are adhered to but that LFDCH are licensed by the State Dept. of Social Services.
- -Providers participating in ACD monitoring go through the following process:
  1. Potential providers contact the ACD Office and they give them the name of the program or sponsoring office in their geographic area who has contracted with ACD to monitor providers in that area. (72 program offices in NY City)
  2. Potential providers complete applications or inquiry forms at the local sponsoring office who in turn does its own initial screening visit. The local program office sends the application/inquiry form and the screening report to ACD, this is the first involvement ACD.
  3. An ACD licensing specialist assigned to that particular area of the city now does a home study on potential provider and family; this includes medical statements, fingerprinting, Child Abuse Registry checks, references, and health and safety checks.
  4. Upon the results of an average of 2 visits from the licensing specialist and the completion of all necessary forms and checks, the decision as to whether to issue this provider a license is made. Licenses are awarded from the ACD office.
  5. The individual programs are responsible for monitoring the providers after licensure, but ACD presides over all 72 programs or "systems."
  6. ACD contracts with these programs to place children in these FDCH. ALL children in these homes are part of public subsidy program to providers. Providers cannot participate in this licensing process unless they accept subsidized children and agree to terms of subsidy regulations.

-HEALTH DEPARTMENT:

- -Monitors approximately 200 family day care homes citywide.

NORTH CAROLINA

Information
Supplied By: Division of Facility Services
Child Day Care Section
701 Barbour Drive
Raleigh, NC 27603
(919) 733-4801

6,500 regulated family day care homes statewide.

Regulations and Requirements
-Registration required for any person providing care for 3-5 preschool children; registered home may also care for 3 additional school aged children.
-Registration is renewed every 2 years through reapplication, self-check lists, and random home visits.
-Since January, 1987, FDCH are required to meet health, safety, and sanitation standards; these standards are being implemented according to a schedule of applicability, established by law, which is based on county population.
-Substitute caregivers and liability insurance not required.
-Any provider caring for 6 or more preschoolers must be licensed to operate a center.
-FDCH inspected before initial registration, during random renewal visits, and whenever a complaint warrants a visit.

Training and Orientation
-No training is required, but training and technical assistance are available through the state agency.

Provider Qualifications
-FDCH provider must be 18 years old and literate.
-Providers must have biennial TB tests and health statements.
-Providers can have no criminal records of child abuse nor any behaviors or habits that may be harmful to children (e.g., drug or alcohol abuse).

Discipline
-Corporal punishment, and other negative forms of discipline which are threatening, frightening, or otherwise unduly harsh are prohibited.

Zoning
-FDCH must comply with local ordinances.

New Legislation
-Effective 8-12-87 number of children for whom provider may care without being registered from 1 to 2 children and to allow the 3 additional school aged children at any time.
-Effective 7-1-88 reorganization of day care facility categories that could allow for the formation of LFDCH.

NORTH DAKOTA

Information
Supplied By: Paul Ronningen
Office of Human Services
North Dakota Office of Human Services
State Capital Building
Bismarck, ND 58505
(701) 224-4809

1,254 regulated family day care homes and 527 regulated large family day care homes statewide.

Regulations and Requirements
-License required for 6 or more children, or for 4 children under 24 months of age.
-No more than 7 children allowed in a FDCH.
-License fee is $20 and licenses are renewed annually.
-Parents must make pre-enrollment visit and have free access to home.
-Substitute caregivers required; no licensing required.
-Homes inspected before licensing and every 6 months thereafter.
-Liability insurance required.
-**Large Family Day Care Homes:**
  -Must be licensed with annual renewal; fee is $25.
  -Staff ratios: 1:4--under 2 1:10-4 years
  1:5--2 years 1:12-5 years
  1:7--3 years 1:18-6 years and up
  -8-18 children are allowed
  -County social services office does inspections and state DHS issues license.
  -Liability insurance required.

Training and Orientation
-Education requirements vary for different levels of care.
-LFDCH: Supervisor-CPR certification and 6 hours training/year and caregiver-4 hours training/year.

Provider Qualifications
-Provider must be at least 18 years old.
-Mentally, physically, and emotionally capable of providing care for children.
-No criminal records check but a Child Abuse and Neglect Records check required.

Discipline
-Corporal punishment prohibited.
-Time out, diversion, separation from problem, talking with child about problem, praise for appropriate behavior, and gentle physical restraint are encouraged.

Zoning
-FDCH and LFDCH must comply with local ordinances.

Pending Legislation
-None.

OHIO

Information
Supplied By: Pauline Hosenfeld
Child Care Regulatory Unit
Ohio Department of Human Services
30 E. Broad Street, 30th Floor
Columbus, OH 43215
(614) 466-3822

3,000 Type B homes certified by local Departments of Human Services and 1 Type A home licensed statewide.

Regulations and Requirements

-Licensing required for FDCH caring for 7-12 children including family members under the age of 6 and no more than 3 of whom may be under 2 years old; or, 4-12 children including family members under 6 years old when 4 or more of the children are under 2 years old. These are termed Type A homes and are in essence LFDCH.
-Type A licenses have a $50 initial fee and $25 renewal fee.
-Type A homes must maintain staff ratio of 1:6.
-Type B homes care for 1-6 children including family members under 6 years old and no more than 3 may be under 2 years old. Certification by county Departments of Human Services is required for Type B homes that receive public funds and care for 1-6 children.
-Certificates are valid for 2 years and are renewed based on county inspection findings.
-All homes inspected twice a year.

Training and Orientation

-Personnel in Type A homes, unless educationally exempt must complete 15 hours in-service training annually until 45 hours are completed. Each home must have one person who has completed first aid training.

Provider Qualifications

-Provider must be at least 18 years old.
-Signed statement from provider and family members over 18 that they have no criminal record of acts involving children.

Discipline

-Written discipline policy statement must be signed and approved by parents; spanking permitted with parents' permission.

Zoning

-Type B homes can operate in any neighborhood zoned residential.
-Type A homes may be excluded by zoning requirements; face same zoning requirements as centers.

Pending Legislation

-None.

OKLAHOMA

Information
Supplied By: Prins Anderson
Department of Human Services
P.O. Box 25352
Oklahoma City, OK 73125
(405) 521-3561

1,024 regulated family day care homes statewide.

Regulations and Requirements
-Licensing required; no fee.
-Licenses renewed annually.
-Provider may care for maximum of 5 children.
-Liability insurance required for transportation.
-Substitute caregiver required; does not have to be licensed.
-Inspections of homes occur initially and quarterly.
-No provisions for LFDCH.

Training and Orientation
-Training not required.

Provider Qualifications
-FDC provider must be 18 years old.
-Initial physical exam required.
-Three written references required.
-No criminal record checks or fingerprinting required.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-None.

OREGON

Information
Supplied By: Karen Moffat
Day Care Unit
Children's Services Division
198 Commercial Street, S.E.
Salem, OR 97310
(503) 378-3178

3,100 regulated family day care homes and 50 regulated large family day care homes statewide.

Regulations and Requirements
-Registration voluntary and can be renewed every 2 years through the mail; no fee.
-Provider may have maximum of 5 day care children with no more than 2 under 2 years old.
-Liability insurance not required for FDCH or LFDCH.
-No home inspections done on FDCH.
-**Large Family Day Care Homes:**
  -6-12 children with the following staff ratios:
    -children 6 mos-14 years: 1:6 (no more than 2 under 2 yrs)
    -children 30 mos-14 years: 1:10, 2:11-12
  -Required to be certified; $5 annual fee.
  -Certified under same rules as centers.
  -Home visit is made.

Training and Orientation
-No training required.
-1-1/2 hours orientation session required for FDC providers.
-LFDC providers receive pre-certification consultation on an individual basis; no specific orientation.

Provider Qualifications
-Provider must be at least 18 years old.
-No convictions for crimes against persons and no negative child welfare record.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH and LFDCH must comply with local ordinances at the present time; new legislation enacted July 1, 1988.

Pending Legislation
-As of July 1, 1988, FDCH and LFDCH will be considered residential uses of property for zoning purposes; no restrictions may be imposed on day care homes that are not placed on other dwellings in residential areas.
-By July 1, 1988, a separate set of regulations must be composed for LFDCH making them separate from FDCH and day care centers.
-New legislation also allows FDCH to have up to 6 full-time day care children with up to an additional 4 full-time or part-time school age; no more than 10 children may be cared for, including provider's own under age 12.

PENNSYLVANIA

Information
Supplied By: Susan Miller
Day Care Division
Office of Policy, Planning & Evaluation
Health & Welfare Building, Room 529
P.O. Box 2675
Harrisburg, PA 17105
(717) 783-6196

3,855 regulated family day care homes and 342 regulated large family day care homes statewide.

Regulations and Requirements
-Registration required for FDCH caring for 4-6 unrelated children, no more than 4 of whom may be under 3 years of age.
-Providers caring for fewer than 4 unrelated children are exempt from regulation.
-Certificates of registration valid for 2 years.
-Random inspection of 15-20% of registered homes conducted annually.
-**Large Family Day Care Homes:**
  -Must meet licensing requirements; no fee.
  -Staff Ratio is 2:11.

Training and Orientation
-No training or orientation required.
-Training offered on a pilot basis for LFDCH providers.

Provider Qualifications
-Provider must be at least 18 years old.
-Provider must have medical exam every 2 years.
-Child Abuse Registry clearances and state police clearances required.

Discipline
-No form of physical punishment, including spanking, may be used; disciplinary methods shall not humiliate, shame, or frighten child.

Zoning
-Local, township, and borough ordinances not addressed in current day care regulations.
-FDCH must comply with local ordinances.
-LFDCH have various requirements depending on township or borough; regulations require Labor and Industry approval in facilities which offer care below ground level/above the second floor.

Pending Legislation
-Regarding regulations for child day care centers, LFDCH, FDCH, specialized services for children with disabilities, and demonstration projects.
-Regarding liability insurance.

RHODE ISLAND

Information
Supplied By: JoAnne K. Prull
Dept. for Children and Their Families
Division of Community Services
Day Care Licensing
610 Mt. Pleasant Avenue
Providence, RI 02908
(401) 457-4536

500 regulated family day care homes (estimated that 25% of these are caring for up to 8 children) statewide.

Regulations and Requirements
-Providers certified at no cost; certification renewable every 2 years.
-FDC providers may care for up to 6 children, no more than 2 may be under 2 years old.
-Providers may have up to 8 children if there is an assistant present; no more than 4 may be under 2 years old. RI considers these homes another category of FDCH, not a LFDCH.
-Parents must have unlimited access to FDCH.
-Providers must have two substitute caregivers to call in case of emergency.(these people do not have to be certified)
-Homes are inspected before certification and at renewal; each quarter 10% of certified homes are checked.

Training and Orientation
-Provider must have training and/or experience in caring for children under 6 years of age.
-In homes with 8 children, provider and assistant must have this training.

Provider Qualifications
-Provider must be at least 18 years old.
-Physical exams required at certification and at renewal.
-Statewide criminal check made on all adults in provider's home.
-Fingerprinting for nationwide FBI check required for provider and assistants; no cost.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-Regarding making FDC exempt from local zoning ordinances.

SOUTH CAROLINA

Information
Supplied By: Hallieque J. Lamb
Office of Children and Family Services
South Carolina Department of Social Services
Post Office Box B-1520, Room 507-24
Columbia, SC 29202
(803) 734-5740

28 licensed and 872 registered family day care homes and 313 licensed large day care homes statewide.

Regulations and Requirements

-Licensing required for FDCH providers receiving public funds; homes not receiving public funds must be registered; neither has a fee.
-FDC providers may have a maximum of 6 children including family members under 12.
-No renewal process for registration.
-FDCH not inspected unless a complaint is received.
-**Large Day Care Homes:**
  -Composed of 7-12 children including family members under 12; if there are 9 or more children present, or 4 are under the age of 2, an additional caregiver must be present.
  -LDCH are inspected prior to licensing and twice a year after that. Large day care homes are called Group Day Care Homes.

Training and Orientation

-No training or orientation required.

Provider Qualifications

-Registered providers have no requirements.
-Licensed and GFDCH providers must be at least 21 years old.
-Providers must complete medical statements when submitting applications; physical exam required only if medical problem is apparent.
-Three written references from persons unrelated to provider required.

Discipline

-Corporal punishment permitted in licensed homes with written parental consent.

Zoning

-FDCH and LDCH must comply with local zoning regulations.

Pending Legislation

-None.

*No information on criminal record checks reported.

SOUTH DAKOTA

Information
Supplied By: Clarice Turner
Department of Social Services
Child Protection Division
Kneip Building
700 Governors Drive
Pierre, SD 57501
(605) 773-3227

400 regulated family day care homes statewide.

Regulations and Requirements
-Registration required for providers receiving public funds.
-Staff Ratios: 1:5--under three years old
1:8--three years old and above
-Provider's children under 6 years old must be counted.
-Registration renewal occurs every 2 years.
-FDCH may have up to 12 children.
-Providers do self-declaration relating to safety requirements of home prior to registration; unannounced inspections occur every 2 years after that.
-No provisions for LDCH.

Training and Orientation
-No training or orientation.

Provider Qualifications
-Provider must be at least 21 years old.
-Providers must have TB test and physical exam before beginning operation; household members must have TB tests and children under 18 living in the house must be properly immunized.
-Three positive references required.
-Applicant's name screened by State Central Registry of child abuse/neglect before registration.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-Summer study being done by legislature to determine if all FDCH should be regulated regardless of funding source.

TENNESSEE

Information
Supplied By: Sandra Arrington
Licensing Unit
Department of Human Services
Citizens Plaza
400 Deaderick
Nashville, TN 37219
(615) 741-7129

317 regulated family day care homes and 248 regulated large family day care homes statewide.

Regulations and Requirements

-Licensing required for homes caring for FDCH and LFDCH; fee for FDCH is $5 annually and for LFDCH, $10 annually.
-Licenses renewed annually.
-FDC providers may care for up to 7 children; if more than 4 are under age 2, another caregiver required.
-Liability insurance required only for transportation.
-Homes inspected prior to licensure and subsequent visits occur twice a year (one of visits is unannounced); homes with provisional licenses inspected quarterly.
-**Large Family Day Care Homes:**
  -Staff ratio of 1:12; if at least one child is under age 3 and/or handicapped, second caregiver required; if more than 9 children under age 3, third caregiver required.

Training and Orientation

-FDC providers required to have 2 clock hours in-service training annually.
-LFDC providers required to have 6 hours training in child care annually.

Provider Qualifications

-Provider must be 18 years old.
-Physical exam required prior to licensing and follow-up exam every 3 years.
-Three written references required.
-No criminal records check or fingerprinting required at present time.

Discipline

-Spanking with open hand on buttocks permitted.

Zoning

-Day care homes must comply with local ordinances.

Pending Legislation

-Regarding liability insurance for centers, FDCH, and LFDCH.

TEXAS

Information
Supplied By: T. Douglas Sanders
Texas Department of Human Services
P.O. Box 2960
Mail Code 550-W
Austin, TX 78769
(512) 450-3253

Approximately 15,000 regulated family day care homes, 689 regulated large family day care homes, and approximately 4,700 of the registered FDCH are caring for 7-12 children.

Regulations and Requirements

-FDC providers must register at an annual fee of $35; registration in effect until revoked or home voluntarily ceases providing care.
-FDCH may care for 6 preschool children from up to 6 different families; an additional 6 school age children may be cared for provided they are siblings of those full-time preschoolers in care. Registered FDC providers may care for the children of a maximum of 6 families.
-FDC provider may care for up to 4 infants (defined as 18 months or younger); various staff ratios for the combinations of infants, toddlers, and school age children that can compose the maximum of 12 children. Ratios include provider's own children.
-Standard booklet on regulations must be given to parents.
-No home inspections done prior to registration.
-**Large Family Day Care Homes:**
  -Licensing required; annual fee of $47.
  -Providers can care for up to 12 children from 12 different families.
  -With one provider, from 0-4 infants can be cared for with adjustments in the number of toddlers and school age children.
  -With two providers, from 0-10 infants can be cared for with adjustments in the number of toddlers.
  -Inspections at least once per year - unannounced.

Training and Orientation

-FDC providers - none required.
-LFDC providers - 12 hours of training per year.

Provider Qualifications

-Home day care provider must be at least 18 years old.
-Criminal record check and a child abuse registry check done prior to registration; no fee.

Discipline

-Corporal punishment prohibited for children under 5; may be used on child over 5 with parental consent, no instrument may be used in delivering punishment.

Zoning

-Day care homes must comply with local ordinances.

Pending Legislation

-As of September 1, 1987, FDC providers caring for 3 or fewer children, not including their own children, will have voluntary registration.

-Regarding qualifications for registered FDCH, including training and education (unspecified), being included in DHS's rules.

Information
Supplied By: Lois M. Rudd, Licensing Specialist
Department of Social Services
Office of Licensing
120 North 200 West
Salt Lake City, UT 84103
(801) 533-4242,4240

2,000 regulated day care homes statewide.

Regulations and Requirements
-Licensing required; $25 fee plus additional $1.50/child cared for must be paid.
-Licenses renewed annually; fees paid annually with renewal.
-Licensed substitute required.
-Homes inspected prior to licensing; department attempts to inspect homes twice a year thereafter.
-FDCH care for up to 6 children including provider's own under age 6; maximum of 2 children under 2 years old. If all children over age 2, then 6 children plus 2 school-age children may be cared for.
-**Large Family Day Care Homes:**
  -6-12 children may be cared for including provider's own under age 6.
  -Provider/child ratio is 1:6 and provider/infant ratio is 1:2.

Training and Orientation
-Two hours training required for FDCH or LFDCH providers before initial licensing.
-State required to offer 12 hours of training to each potential provider, but provider has option of participating in training. Each provider required to attain 6 hours of approved training annually.

Provider Qualifications
-Provider must be 18 years old.
-Physical exams required upon entry of employment.
-Three oral or written references required.
-Child abuse registry check required of potential providers.

Discipline
-Corporal punishment prohibited.

Zoning
-Day care homes must comply with local ordinances.

Pending Legislation
-In April, 1987 legislature passed law establishing a State Office of Licensing; office oversees licensing procedures of FDCH and LFDCH.

VERMONT

Information
Supplied By: Donna Alexander
Department of Social and Rehabilitative Services
Division of Licensing and Regulation
103 S. Main Street
Waterbury, VT 05676
(802) 241-2158

Approximately 400 licensed and 734 registered family day care homes and approximately 30 large family day care homes statewide.

Regulations and Requirements

-Providers caring for children from more than 2 families must be registered or licensed; no fee for either.
-Registered providers care for the children in their own homes; licensed providers care for children in their home or another home
-Homes inspected prior to licensure; inspected annually thereafter.
-Liability insurance required for all licensed providers.
-Three parent/provider conferences per year required of licensed providers
-Parents have unlimited visitation of day care home.
-Registration and licenses are renewed annually.
-Registered providers care for maximum of 6 children full-time plus additional 4 school-age children for not more than 4 hours per day; provider/infant ratio is 1:2.
-Licensed provider may care for maximum of 6 children with no more than 2 under age 2.
-**Large Family Day Care Homes:**
  -Licensing required.
  -Home may have 6-12 children.
  -Provider/child ratio is 1:6 in a mixed-age group; provider/-infant ratio is 1:2. With all 2 year olds, provider/child ratio is 1:5. With all infants, provider/child ratio is 1:3.

Training and Orientation

-Six hours of training per year required for licensed providers; training includes CPR, first aid, and child abuse identification.

Provider Qualifications

-Providers must be at least 18 years old.
-Providers must submit statement from physician stating that s/he is in good health every 2 years.
-Three written references required for provider and three written references for assistants required.
-Child abuse registry check required.

Discipline

-Corporal punishment prohibited.

Zoning

-FDCH exempt from zoning laws and do not have to comply with local ordinances.

-LFDCH must comply with local ordinances.

Pending Legislation

-None.

VIRGINIA

Information
Supplied By: Meredyth P. Partridge
Division of Licensing Program
Department of Social Services
8007 Discovery Drive
Richmond, VA 23229
(804) 281-9025

260 regulated family day care homes and 1,200 Agency Approved family day care homes accepting children exclusively from local departments of welfare or social services statewide. There are 6 licensed family day care systems in the state.

Regulations and Requirements

-Licensing required for FDCH which do not accept children exclusively from local department of welfare or social services; licenses renewed annually.
-FDCH is defined as private family home in which more than 5 children, not including family members, are cared for during some part of the 24 hour day, except: (i) homes which accept children exclusively from local departments of welfare or social services, (ii) homes which have been approved by a licensed day care system or (iii) homes which accept up to 10 children if at least 5 are school-aged and are not in the home for longer than 3 hours before school and 3 hours immediately after school.
-Within maximum of 10 children, these ratios must be observed: 1 handicapped child counts as 2; 1 adult required for every 4 children under age 2; 1 adult for every 6 children over age 2; school aged-children in care for no more than 3 hours not counted towards ratios.
-Homes inspected prior to issuance of license and twice a year thereafter; one of these visits is unannounced.
-If a complaint is received, a home is visited.
-No provisions for LFDCH; any home caring for 10 or more children must be licensed as a child care center.

Training and Orientation

-Training for licenses is offered by the Department, from application fees collected.

Provider Qualifications

-FDC provider must be at least 18 years old and an assistant must be at least 14 years old.
-Providers must have TB tests prior to operation of FDCH.
-References required (standards do not specify number).

Discipline

-There is no standard related to corporal punishment.

Zoning

-FDCH must comply with local ordinances but compliance with local zoning requirements is not a prerequsite for state licensing.

Criminal Record Checks

-Effective January 1, 1988 family day care home licensees and staff are required to have a criminal record check.

Pending Legislation

-Liability insurance, affordability and availability being studied.

WASHINGTON

Information
Supplied By: Barry Fibel - Licensing Specialist
Bureau of Children's Services
Mail Stop-OB-41
Olympia, WA 98504
(206) 753-0204

6,300 regulated family day care homes and 300 regulated large family day care homes statewide.

Regulations and Requirements
-Licenses required for FDCH; fee is $24 annually.
-Providers may care for up 1-6 children full-time with an additional 4 part-time children.
-Maximum of 2 children under 2 years of age allowed in a FDCH.
-Licenses renewed at 3 year intervals.
-Liability insurance required for transportation only.
-Substitute caregiver and backup are required.
-Homes inspected prior to licensing and are only revisited in response to a complaint or for licensing renewal.
-**Large Family Day Care Homes:**
  -Referred to as mini-day care programs; may have up to 12 children including provider's own children.
  -Must be 2 providers when there are more than 2 infants; or if there are 6 children and at least one of them is under 2 years of age; or if there are 8 children and at least one of them is under 3 years of age; or if there are more than 10 children.
  -License is $48 annually.

Training and Orientation
-No training required for FDC providers.
-LFDC providers must have one course in early childhood education and two years experience in child care.

Provider Qualifications
-Provider must be at least 18 years old.
-Three references are required.
-Name check done with State Patrol on applicant and employees.

Discipline
-Physical punishment prohibited.

Zoning
-LFDCH must comply with local ordinances.

Pending Legislation
-None.

WEST VIRGINIA

Information
Supplied By: Kay Tilton
Department of Human Services
1900 Washington Street, East
Building 6, Room B-850
Charleston, WV 25305
(304) 348-7980

1,300 regulated family day care homes statewide.

Regulations and Requirements
-FDC providers receiving federal funds must be approved by the State Department of Human Services.
-Providers may care for up to 6 children, with a maximum of 2 under age 2.
-Homes inspected monthly during initial training period and twice a year thereafter.

Training and Orientation
-Training done on individual basis for providers seeking approval; they must reach a competency base.

Provider Qualifications
-FDC provider must be at least 18 years old.
-Initial physical exam required.
-Criminal records check and thumbprinting done on providers abd their families; fee is $5/person and DHS pays fee.
-Federal records check done on any person who has lived in another state within 5 years prior to application.

Discipline
-Corporal punishment prohibited.

Zoning
-FDCH must comply with local ordinances.

Pending Legislation
-None.

WISCONSIN

Information
Supplied By: David B. Edie
Wisconsin Dept. of Health and Social Services
Bureau for Children, Youth and Families
P.O. Box 7851
Madison, WI 53707
(608) 266-8200

559 regulated family day care homes and 2,500 certified family day care homes statewide.

Regulations and Requirements

-Licensing required for homes with 4 or more children under age of 7.
-Certification required for FDCH that have fewer than 4 children under age 7 and that receive public funds for day care services.
-Licenses are $10 biennially and are renewed every 2 years after licensing review.
-Liability insurance required for licensed homes.
-Homes inspected prior to licensing and annually thereafter.
-Certified homes inspected according to county standards (these policies differ).
-No provisions for **Large Family Day Care Homes**; provider caring for more than 8 children must meet same standards as day care center.

Training and Orientation

-Forty hours of early childhood education required for licensing and 15 hours annual in-service training required in order to maintain one's license.
-Ten hours of training required for certification.

Provider Qualifications

-FDC provider must be at least 18 years old.
-Initial physical exam required.
-Two references required.
-All applicants must fill out a notarized from concerning criminal background. Random criminal record checks of licensed programs annually.

Discipline

-Corporal punishment prohibited.

Zoning

-FDCH must comply with local ordinances, but there is a state statute prohibiting municipalities from preventing licensed homes from operating where single-family residence is a permitted use.

Pending Legislation

-Planning major rule changes to streamline FDC regulations.

WYOMING

Information
Supplied By: Ken Kaz
Division of Public Assistance
Hathaway Building
Cheyenne, WY 82002-0710
(307) 777-5994

815 regulated family day care homes and 212 regulated large family day care homes statewide.

Regulations and Requirements
-Licensing required; no fee.
-FDCH may have up to 6 children including family members.
-Licenses renewed annually.
-Liability insurance not required, but strongly recommended.
-Homes inspected before licensing and then annually.(Inspections are unannounced)
-**Large Family Day Care Homes:**
  -Maximum of 11 children.
  -Staff ratio: 1:11; no more than 2 infants.

Training and Orientation
-Five clock hours of training required annually.

Provider Qualifications
-No age requirements.
-Physical exams and TB tests required for any household members who are active in caring for the children.
-Three written references required.
-No criminal record checks or fingerprinting required.

Discipline
-Corporal punishment prohibited.

Zoning
-LFDCH must comply with local zoning codes. Fees are incurred in special instances.

Pending Legislation
-None.

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